

# SENATE BILL No. 34

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 35-44-3-2.

**Synopsis:** Assisting a criminal. Provides, for purposes of the crime of assisting a criminal, that it is not a defense that the person assisted has not been prosecuted, has not been convicted, or has been acquitted. (The introduced version of this bill was prepared by the sentencing policy study committee.)

**Effective:** July 1, 2009.

**Bray**

January 7, 2009, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.

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First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

## SENATE BILL No. 34

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 35-44-3-2 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. **(a)** A person not  
3 standing in the relation of parent, child, or spouse to another person  
4 who has committed a crime or is a fugitive from justice who, with  
5 intent to hinder the apprehension or punishment of the other person,  
6 harbors, conceals, or otherwise assists the person commits assisting a  
7 criminal, a Class A misdemeanor. However, the offense is:  
8 (1) a Class D felony if the person assisted has committed a Class  
9 B, Class C, or Class D felony; and  
10 (2) a Class C felony if the person assisted has committed murder  
11 or a Class A felony, or if the assistance was providing a deadly  
12 weapon.  
13 **(b) It is not a defense to a prosecution under this section that the**  
14 **person assisted:**  
15 **(1) has not been prosecuted for the offense;**  
16 **(2) has not been convicted of the offense; or**  
17 **(3) has been acquitted of the offense by reason of insanity.**



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1       SECTION 2. [EFFECTIVE JULY 1, 2009] **IC 35-44-3-2, as**  
2       **amended by this act, applies only to crimes committed after June**  
3       **30, 2009.**

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